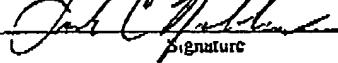


RECEIVED  
CENTRAL FAX CENTER

**CERTIFICATE OF FACSIMILE**  
I hereby certify that this correspondence is being transmitted  
via facsimile to (703) 872-4314 to the United States  
Patent and Trademark Office on: April 16, 2004  
(Date of Deposit)

FRANK C. NICHOLAS (33,983)  
Name of applicant, assignee or registered representative

  
Signature

April 16, 2004  
Date of Signature

APR 16 2004

OFFICIAL

#5/A  
TLR  
4/26/01

PATENT  
Case No. AUS920010190US1  
(9000/33)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re parent application of: )  
 )  
 MARIA A. HIMMEL, ET AL. )  
 )  
 Serial No.: 09/821,134 )  
 )  
 Filed: MARCH 29, 2001 )  
 )  
 Title: METHOD AND SYSTEM FOR )  
 SCHEDULE BASED ADVERTISING )  
 ON A MOBILE PHONE )

Examiner: CHO, UN C.

Group Art Unit: 2682

**RESPONSE TO NON-FINAL OFFICE ACTION DATED JANUARY 20, 2004**

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a response to a Non-Final Office Action dated January 20, 2004.

TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Attorney Docket No.	AUS920010190US1 (9000/33)
Application Number	09/821,134
Filing Date	MARCH 29, 2001
First Named Inventor	MARIA A. HIMMEL
Group Art Unit	2682
Examiner	CHO, UN C.

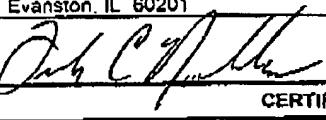
## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Response to Non-Final Office Action Dated January 20, 2004  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Petition for Extension of Time Request (dup)  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Supplemental Information Disclosure Statement, PTO-1449, art  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Assignment Papers  <input checked="" type="checkbox"/> Drawings: Replacement Sheet 1/8  <input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Person Routing Slip (PTO/SB/69) and Accompanying Petition  <input type="checkbox"/> To Convert a Provisional Application  <input type="checkbox"/> Applicant Initiated Interview Request Form  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Express Abandonment Under 37 CFR 1.138  <input type="checkbox"/> Request of Refund	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
		<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
		<input type="checkbox"/> Proprietary Information
		<input type="checkbox"/> Post Card Receipt
		<input type="checkbox"/> Additional Enclosure(s) (please identify below):
		<input type="checkbox"/>
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 09-0447 (IBM Corporation). A duplicate copy of this sheet is enclosed		
<input checked="" type="checkbox"/> I hereby petition under 37 CFR § 1.138(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 09-0447 (IBM Corporation). A duplicate copy of this sheet is enclosed		

## CALCULATION OF FEE

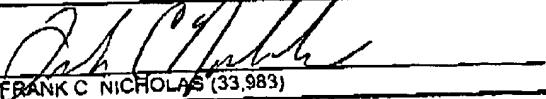
	Claims After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Large Entity	
					Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus		0	x \$9=	0	x \$18=	
Indep.		Minus		0	x \$43=	0	x \$86=	
First Presentation of Multiple Dep. Claim					+ \$145=	---	+ \$290=	
					total add'l fee	\$ 0	total add'l fee	\$ 0

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	FRANK C. NICHOLAS Registration No. 33,983 CARDINAL LAW GROUP 1603 Orrington Avenue, Suite 2000 Evanston, IL 60201
Signature	
	Date April 16, 2004

## CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to (703) 872-9314 to the United States Patent and Trademark Office on this date	April 16, 2004
---	----------------

Signature 	Date April 16, 2004
FRANK C. NICHOLAS (33,983)	

**RECEIVED**  
**CENTRAL FAX CENTER**

APR 16 2004

**OFFICIAL****OFFICIAL****CARDINAL LAW GROUP**

---

1603 Orrington Avenue/Suite 2000  
Evanston, Illinois 60201  
Telephone 847 - 905 - 7111  
Facsimile 847 - 905 - 7113

**CONFIDENTIAL ATTORNEY-CLIENT  
PRIVILEGED COMMUNICATION**

Date: APRIL 16, 2004

To: EXAMINER CHO  
U.S. PATENT AND TRADEMARK OFFICE  
Fax #: (703) 872-9314From: FRANK C. NICHOLAS  
Phone #: (847) 424-2521

Client/Matter No.: AUS920010190US1 (9000/33)

# of Pages: 29  
(including cover sheet)IF YOU HAVE ANY PROBLEMS RECEIVING THIS MESSAGE, PLEASE CALL 847/905-7111, Ext. 2280 AND ASK FOR  
JENNIFER CRUZ.

THIS MESSAGE IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. IT MAY CONTAIN PRIVILEGED, CONFIDENTIAL, ATTORNEY WORK PRODUCT, OR TRADE SECRET INFORMATION WHICH IS EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAWS. IF YOU ARE NOT THE INTENDED RECIPIENT, OR AN EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE (AND ALL COPIES) TO US BY MAIL AT THE ABOVE ADDRESS. WE WILL REIMBURSE YOU FOR POSTAGE.